

IN THE CLAIMS:

Please amend claims 1, 10 and 21 as shown below. Please cancel without prejudice claims 2, 3, 9, 17 and 20. Please add new claims 26-28. The listing of claims will replace all prior versions and listings of claims in the application:

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1. (Currently Amended) A cage for an embolic filtering device used to filter embolic particles from a body vessel, comprising:
a proximal strut assembly connected to a distal strut assembly which are movable between an unexpanded position and an expanded position, the distal strut assembly having an inlet opening which expands and conforms to the wall of the body vessel when placed in the expanded position; wherein the proximal strut assembly is adapted to extend substantially along the wall of the body vessel when placed in the expanded position and the proximal strut assembly is adapted to be rotatably attached to an elongated member.
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 2. (Canceled)
 3. (Canceled)
 4. (Original) The cage of claim 1, wherein a filter member is attachable to the distal strut assembly.

5. (Original) The cage of claim 1, wherein the proximal strut assembly includes a plurality of expandable struts each having a first end and a second end, the second ends of the struts being attached to the distal strut assembly and the first ends being adapted for attachment to an elongated member.

6. (Original) The cage of claim 5, wherein the distal strut assembly includes a plurality of expandable struts, wherein struts of the distal strut assembly are arranged to form the inlet opening of the distal strut assembly.

7. (Original) The cage of claim 1, wherein the proximal strut assembly includes a pair of self-expanding struts.

Amend
8. (Original) The cage of claim 7, wherein each strut of the proximal strut assembly has a first end and a second end, the second ends of the struts being attached to the distal strut assembly and the first ends being adapted for attachment to an elongated member

9. (Canceled)

10. (Currently Amended) An embolic filtering device used to filter embolic particles from a body vessel, comprising:
an elongated member;

a filtering assembly rotatably attached to the elongated member and movable between an unexpanded position and an expanded position, the filtering assembly including an expandable cage and a filter member attached to the expandable cage, the expandable cage including a proximal strut assembly connected to a distal strut assembly, the filter member being attached to the distal strut assembly, wherein the distal strut assembly has an inlet opening which expands and conforms to the wall of the body vessel to allow embolic particles to enter the filter member and the proximal strut assembly is adapted to extend substantially along the wall of the body vessel when placed in the expanded position.

11. (Original) The embolic filtering device of claim 10, further including means for rotatably attaching the proximal strut assembly to the elongated member.

12. (Original) The embolic filtering device of claim 10, wherein the elongated member is a guide wire.

13. (Original) The embolic filtering device of claim 10, wherein the proximal strut assembly includes a plurality of expandable struts each having a first end and a second end, the second ends of the struts being attached to the distal strut assembly and the first ends being adapted for attachment to an elongated member.

14. (Original) The embolic filtering device of claim 13, wherein the distal strut assembly includes a plurality of expandable struts, wherein struts of the distal strut assembly are arranged to form the inlet opening of the distal strut assembly.

15. (Original) The embolic filtering device of claim 10, wherein the proximal strut assembly includes a pair of self-expanding struts.

16. (Original) The embolic filtering device of claim 15, wherein each strut of the proximal strut assembly has a first end and a second end, the second ends of the struts being attached to the distal strut assembly and the first ends being adapted for attachment to the elongated member.

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17. (Canceled)

18. (Original) The embolic filtering device of claim 16, further including a segment of coil wire attached to and extending from the distal strut assembly.

19. (Original) The embolic filtering device of claim 18, further including an obturator attached to and extending from the distal strut assembly.

20. (Canceled)

21. (Currently Amended) A method for implanting an embolic filtering device in a body vessel of a patient for filtering embolic particles entrained in the patient's body fluid, comprising:

providing a filtering assembly rotatably attached to a guide wire and movable between an unexpanded position and an expanded position, the filtering assembly including an expandable cage and a filter member attached to the expandable cage, the expandable cage including a proximal strut assembly connected to a distal strut assembly, the filter member being attached to the distal strut assembly, wherein the distal strut assembly has an inlet opening which expands and conforms to the wall of the body vessel to allow embolic particles to enter the filter member and the proximal strut assembly is adapted to extend substantially along the wall of the body vessel when placed in the expanded position;

maintaining the filtering assembly in the unexpanded position;
maneuvering the filtering assembly into the desired location in the patient; and
moving the filtering assembly into the expanded position.

22. (Original) The method of claim 21, wherein the guide wire is used to maneuver the filtering assembly in the patient.

23. (Original) The method of claim 21, wherein a retractable sheath is used to maintain the filtering assembly in the unexpanded position.

24. (Original) The method of claim 22, wherein the retractable sheath is retracted to move the filtering assembly into the expanded position.

25. (Original) The method of claim 24, wherein the proximal strut assembly has two self-expanding struts which extend along the wall of the body lumen when placed in the expanded position.

26. (New) A cage for an embolic filtering device used to filter embolic particles from a body vessel, comprising:

a proximal strut assembly connected to a distal strut assembly which are movable between an unexpanded position and an expanded position, the distal strut assembly having an inlet opening which expands and conforms to the wall of the body vessel when placed in the expanded position; wherein the proximal strut assembly is adapted to extend substantially along the wall of the body vessel when placed in the expanded position and the proximal strut assembly is made from a different material than the distal strut assembly.

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and*

27. (New) An embolic filtering device used to filter embolic particles from a body vessel, comprising:

an elongated member;
a filtering assembly attached to the elongated member and movable between an unexpanded position and an expanded position, the filtering assembly including an expandable cage and a filter member attached to the expandable cage, the expandable cage including a

proximal strut assembly connected to a distal strut assembly, the proximal strut assembly being made from a different material than the distal strut assembly, the filter member being attached to the distal strut assembly, wherein the distal strut assembly has an inlet opening which expands and conforms to the wall of the body vessel to allow embolic particles to enter the filter member and the proximal strut assembly is adapted to extend substantially along the wall of the body vessel when placed in the expanded position.

28. (New) An embolic filtering device used to filter embolic particles from a body vessel, comprising:

an elongated member;

a filtering assembly attached to the elongated member and movable between an unexpanded position and an expanded position, the filtering assembly including an expandable cage and a filter member attached to the expandable cage, the expandable cage including a proximal strut assembly connected to a distal strut assembly, the filter member being attached to the distal strut assembly, wherein the distal strut assembly has an inlet opening which expands and conforms to the wall of the body vessel to allow embolic particles to enter the filter member and the proximal strut assembly is adapted to extend substantially along the wall of the body vessel when placed in the expanded position and the elongated member continues and extends through the length of the expandable cage to the distal end of the assembly and includes a distal tip coil that extends distally from the expandable cage